selectively allocating predetermined subscriber environments to respective authorized subscribers, the predetermined subscriber environments being defined by the subscriber data sets.

REMARKS

The October 21, 2002 Office Action was based upon pending Claims 5-10. This Amendment amends Claim 6 and cancels Claim 5. Thus, after entry of this Amendment, Claims 6-10 are pending and presented for further consideration. For the reasons set forth hereinafter, Applicant submits that the claimed subject matter is patentably distinguished over the cited prior art and respectfully requests the Examiner to reconsider and to withdraw the rejections. Accordingly, Applicant respectfully requests the Examiner to pass Claims 6-10 to allowance.

The specific changes to the claims are shown on a separate set of pages attached hereto and entitled **VERSION WITH MARKINGS TO SHOW CHANGES MADE**, which follows the signature page of this Amendment. On this set of pages, the insertions are underlined while the ~~deletions are struck through~~.

Claim Objections

The Examiner objects to Claim 5 as being dependent on cancelled Claim 4. Applicant has cancelled Claim 5. Therefore, the objection is believed to be moot.

Claim Rejections

The Examiner rejects Claims 5-6 and 8-10 under 35 U.S.C. §102(b) as being anticipated by Comroe (U.S. Patent No. 5,014,345). Further, the Examiner rejects Claim 7 under 35 U.S.C. §103(a) as being unpatentable over Comroe in view of Rothenhofer (U.S. Patent No. 5,345,502). Thus, the Examiner asserts that Comroe discloses a radio communications system having each and every limitation recited in independent Claim 6 and dependent Claims 8-10. Applicant respectfully disagrees with the Examiner's assertion. However, to expedite examination and allowance of the present application, Applicant has amended Claim 6 to further distinguish the claimed subject matter over the cited prior art.

Comroe fails to disclose or suggest a cellular mobile radio communications system. Instead, Comroe discloses a trunked radio system. (E.g., col. 4, lines 7-13.) Trunked radio

systems are used, for example, by police and fire departments and companies. (E.g., col. 1, lines 40-52.) Certain users in a trunked radio system are assigned to a talk group. When one user transmits a message, the central radio control unit switches all members of the talk group to the same open channel. When a user broadcasts a message, all other members of the talk group hear it. (Col. 2, lines 22-25). To improve a trunked radio system, Comroe proposes a method for changing the identities (IDs) of the subscriber units to assign them to a predefined group and allow them to communicate on a single channel with other members of the group. (Col. 2, lines 31-47). Further, Comroe discloses to dynamically reprogram an ID-containing storage device of the subscriber unit with a new ID. (E.g., col. 2, lines 31-47.)

The foregoing illustrates that Comroe describes a system that is very different from a cellular mobile radio communications system. In a cellular mobile radio system, each subscriber is assigned at least a unique calling number and identity. The identity is associated with a subscriber environment containing individual information, for example, about the subscriber's subscription level and supplementary services. The subscriber environment is stored in a subscriber data record within a dedicated subscriber data base of the mobile radio system. Comroe's trunked radio system does not provide these features. Therefore, Comroe fails to disclose or to suggest cellular mobile radio communications system.

Further, Comroe's trunked radio system is not a virtual private network. As understood by those skilled in the art, and as described on page 1, lines 28-30, of the present application, a virtual private network simulates a separate communications network that is actually situated within a real communications network. Compare also the separate treatment of virtual private networks from public networks in Rothenhofer cited by the Examiner. (E.g., col. 2, lines 49-63.) In contrast, Comroe's trunked radio system is a single network with defined talk groups. Accordingly, Comroe fails to disclose or to suggest a virtual private network within a cellular mobile radio communications system, as defined in amended Claim 6.

In addition to the foregoing, Comroe fails to disclose or to suggest temporarily assigning object identifications to subscribers formed by subscriber data sets, wherein one or more subscriber data sets are assignable to subscribers of the cellular mobile radio communications system, as defined in amended Claim 6. This is contrary to Comroe, which reprograms one or

more subscriber units to form a new group that may communicate on a single channel. (Col. 2, lines 34-37.) Such a reprogramming of IDs, however, is not an assignment of object identifications formed by subscriber data sets. Comroe's failure to disclose a virtual private network is discussed above.

Further, Comroe fails to disclose or to suggest selectively allocating predetermined subscriber environments to respective authorized subscribers, wherein the predetermined subscriber environments are defined by the subscriber data sets. Again, Comroe reprograms subscriber units, but does not selectively allocate predetermined subscriber environments, as defined in Claim 6.

In this regard, the present application explains on page 2, lines 17-27, that:

> [a] subscriber to whom an object identification was assigned preferably also has a temporary, object-related and a permanent, individual subscriber environment. This means that this subscriber can be reached as a virtual communication network subscriber as well as under his individual subscriber number. Consequently, it is ensured that the subscriber can be optimally reached. If a call to a subscriber environment arrives while said subscriber is carrying on a conversation in another environment, the second call may, for example, be rerouted to a voice memory or relayed to the subscriber during the call, i.e. the subscriber may alternately speak with both subscribers. This means that the subscribers can always be reached using the call numbers that correspond to the individual and the temporary subscriber environments actually assigned to the subscriber.

Thus, a new subscriber data record is freely assigned to any authorized subscriber. The new subscriber data record is selected from a pool of preset subscriber data records, which may comprise information about a subscription level, and information about supplementary services. This assignment is carried out within the subscriber data base. There is no need for reprogramming the subscriber unit.

A specific example of a virtual communications network is given in the present application on page 3 as follows:

> Service numbers are call numbers that can be dialed and are valid within a VPN. They are parametized, i.e., they can be divided into blocks of numbers that respectively have a certain meaning for the user. Generally speaking, there exist many combinations of numbers that a user may utilize as service numbers, e.g.,

> more than a thousand number combinations. The respective service numbers consist, for example, of
> --- a function identification (train engineer, train conductor, cleaning personnel, train loudspeaker, ...) and
> --- a train number (5-digit).
>
> The train crew can be reached under the service number that also contains the train number as long as the train crew accompanies the train. If personnel changes are made, the new personnel can be reached under the same numbers as before. These changes may take place spontaneously, namely at any time and at any location. The service users merely know the service numbers.

In view of the foregoing, Applicant respectfully submits that Comroe fails to disclose or to suggest each and every limitation recited in amended Claim 6. The claimed subject matter is, therefore patentable, over Comroe. Applicants respectfully request the Examiner to reconsider the rejection over Comroe and to pass amended Claim 6 to allowance.

Because Claims 7-10 depend from independent Claim 6, pursuant to 35 U.S.C. § 112, ¶ 4, they incorporate by reference all the limitations of the claim to which they refer. It is therefore submitted that Claims 7-10 are in condition for allowance at least for the reasons expressed with respect to the independent claim, and for their other inventive features. Thus, Applicant respectfully requests the Examiner to pass Claims 7-10 to allowance.

The Examiner rejects Claim 7 as being obvious over Comroe and Rothenhofer. However, in view of the above discussion of Comroe, Applicant submits that even a combination of Comroe and Rothenhofer relates to intelligent networks and the establishment of connection between the networks, but does not disclose each and every limitation recited in Claims 6 and 7. For example, Rothenhofer does not disclose or suggest temporarily assigning object identifications to subscribers formed by subscriber data sets, or selectively allocating predetermined subscriber environments to respective authorized subscribers, as defined in Claim 6. Applicant respectfully request the Examiner to withdraw the rejection over Comroe and Rothenhofer.

CONCLUSION

Applicant has endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested.

If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1/20/03

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

6. (Amended) A method for reaching subscribers in a cellular mobile radio communications system, comprising:

temporarily assigning object identifications to subscribers, said temporary object identifications being formed by subscriber data sets that respectively define an entire subscriber environment of a virtual communication network within the cellular mobile radio communications system, wherein one or more subscriber data sets are assignable to subscribers of the cellular mobile radio communications system; and

selectively allocating predetermined subscriber environments to respective authorized subscribers, the predetermined subscriber environments being defined by the subscriber data sets.